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AFFORDABLE CARE, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BOSTON DENTAL GROUP, LLC, a Nevada
limited liability company,

Plaintiff,

vs.

AFFORDABLE CARE, LLC, a North
Carolina limited liability company,

Defendant.

Case No.: 2:16-cv-01636-RFB-CWH

**STIPULATION AND PROPOSED
ORDER TO EXTEND THE PRETRIAL
ORDER DEADLINE TWENTY-ONE (21)
DAYS TO MAY 17, 2018**
(FIRST REQUEST)

AND RELATED COUNTERCLAIM

1 Pursuant to LR IA 6-1 and 6-2, it is hereby agreed to and stipulated between
2 Plaintiff/Counterclaim Defendant Boston Dental Group, LLC (“Boston Dental”), by and
3 through its counsel, Michael R. Mushkin & Associates P.C. and Borghese Legal, Ltd., on the
4 one hand, and Defendant/Counterclaim Plaintiff Affordable Care, LLC (“Affordable Care”),
5 by and through its counsel, Kolesar & Leatham and Barack Ferrazzano Kirschbaum &
6 Nagelberg LLP, on the other hand, to a twenty-one (21) day extension of the April 26, 2018
7 Joint Pretrial Order deadline, until May 17, 2018, for the purpose of allowing the parties to
8 focus on settlement negotiations, as further set forth herein. This is the first stipulation for
9 extension of time to extend the Joint Pretrial Order deadline.

10 The parties have been diligently working to comply with the April 26, 2018 Joint
11 Pretrial Order deadline and have also been simultaneously engaged in settlement negotiations.
12 The parties now seek a brief twenty-one (21) day extension of the Joint Pretrial Order
13 deadline in order to focus on settlement. The litigation of this matter will be best served by the
14 proposed extension.

15 Preparation of the Joint Pretrial Order is time-consuming and the parties would like to
16 put their effort into settlement. Further, the costs that would be incurred in finalizing a Joint
17 Pretrial Order could be better used to resolve the dispute. There is good cause to grant the
18 parties’ first stipulation for extension of time because the parties have been diligent in
19 preparing the Joint Pretrial Order and are engaged in serious settlement negotiations. *See*
20 *Fernandez v. N.V.*, Case No. 2011 WL 3957612 at *2 (Dist. Nev. Sept. 6, 2011) (granting
21 motion for extension of time to file pretrial brief because parties engaged in settlement
22 negotiations). The parties do not anticipate that a brief twenty-one (21) day extension of time
23 to submit the Joint Pretrial Order will affect potential trial dates.

24 Accordingly, the parties stipulate that the deadline for the Joint Pretrial Order be
25 extended for twenty-one (21) days from April 26, 2018 to May 17, 2018.

1
IT IS SO STIPULATED.

2 DATED this 23rd day of April, 2018

3 **KOLESAR & LEATHAM**

4 By /s/ Sharon E. Calhoun

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17 Attorneys for Defendant
Affordable Care, LLC

2 DATED this 23rd day of April, 2018

3 **BORGHESE LEGAL, LTD.**

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12 Attorneys for Plaintiff
13 Boston Dental Group, LLC

20 **ORDER**

21 **IT IS SO ORDERED.**

22
23 

24 RICHARD F. BOULWARE, II
25 UNITED STATES DISTRICT JUDGE

26 DATED: April 24, 2018